

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE

SAGAMORE INSURANCE COMPANY
a/s/o GT TRUCK LINE
PLAINTIFF

VS.

No. 3:14-1351

VOLVO TRUCKS OF NORTH AMERICA
DEFENDANT

PLAINTIFF'S UNOPPOSED MOTION FOR LEAVE TO APPEAR
TELEPHONICALLY AT INITIAL CASE MANAGEMENT CONFERENCE

COMES NOW THE PLAINTIFF, more particularly Plaintiff's counsel, with the express consent of Defendant to the relief sought herein, and moves this Court for leave to appear telephonically at the Initial Case Management Conference currently set before this Court on Monday, August 11, 2014 at 11:00 a.m. In support of this motion, movant asserts as follows:

1. Counsel for the parties have an ongoing amicable relationship and have fashioned a proposed Scheduling Order addressing all issues requested in the Notice of Setting and Local Rules. Prior dealings between counsel indicate that the relevant exchange of information in this case will be fair and focused on each side adequately assessing the strengths and weaknesses of their case.
2. Plaintiff filed the matter in Davidson County Circuit Court and Defendant removed it to this Court.
3. Plaintiff's counsel resides and works from Memphis, Tennessee; approximately three hours from the Federal Courthouse in Nashville.

4. Local Rule 16.01(d)(4) contemplates that parties can attend case management hearings via telephone.¹

5. Undersigned counsel regularly participates in telephonic proceedings in distant Federal courts.

6. Plaintiff's counsel's three (3) sons and Wife appreciate and expect counsel's participation in child rearing and recognition of wife's chosen career. Two of the three boys began school on August 4, 2014 and the youngest begins school on Monday, August 11, 2014. Wife is scheduled to begin intensive nurse training on Monday.

7. Personal appearance in Nashville for the subject conference will impose at least six (6) hours of travel time, additional and alternate childcare accommodations, and additional expense upon undersigned counsel.²

8. Neither side will be prejudiced by undersigned counsel's telephonic appearance at this hearing.

WHEREFORE, PREMISES CONSIDERED, Plaintiff moves it be allowed to attend the August 11, 2014 Initial Case Management Conference telephonically.

Respectfully Submitted,

/s/ Evan Nahmias

Evan Nahmias (TN 19518)

¹ Local Rule 16.06 contemplates telephonic appearance at ADR conferences, too.

²The negative impact upon natural resources is also respectfully urged.

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Attorney for Plaintiff

Certificate of Service

This document was served upon Matthew Zenner via ECF Notification on this
August 6, 2014.

E. Nahmias: /s/ Evan Nahmias